

(16)  
6-8-01  
MA

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CALVIN WILLIAM ROTH, JR.,

Petitioner

v.

COMMONWEALTH OF  
PENNSYLVANIA, ET AL.,

Respondent

CIVIL NO. 1:CV-00-1831

(Judge Rambo)

FILED  
HARRISBURG, PA

JUN 08 2001

MARY E. D'ANDREA, CLERK  
Per MA  
Deputy Clerk

ORDER

AND NOW, THIS 9 DAY OF JUNE, 2001, IT IS HEREBY ORDERED

THAT:

1. The Clerk of Court is directed to serve a copy of the petition and this order by certified mail on the Attorney General of the Commonwealth of Pennsylvania and the District Attorney of York County.

2. Within twenty (20) days of the date of this order, Respondent(s) shall answer the allegations in the petition for writ of habeas corpus. Consistent with Rule 5 of the Rules Governing § 2254 Cases in the United States Courts, the answer shall:


- (a) state whether the Petitioner has exhausted state remedies available under state law with respect to each claim presented, including any post-conviction remedies;
- (b) be accompanied by those portions of any transcripts the Respondent(s) deems relevant to disposing of the claims raised in the petition;
- (c) indicate what other proceedings that might be relevant to the petition have been recorded but have not yet been transcribed;

- (d) be accompanied by copies of any of the Petitioner's briefs on appeal, either from the judgment of conviction or from an adverse decision in a post-conviction proceeding; copies of any opinions of the appellate courts in those proceedings; and any PCRA petitions.

3. Respondent(s) shall file a memorandum of law with the answer. The memorandum shall set forth the relevant facts and procedural history of the case, a recommended disposition of the petition, and citations to pertinent case law.

4. Petitioner shall, if he so desires file a reply brief within fifteen (15) days of receipt of the Respondent'(s) filings.

5. A determination whether the Petitioner should be produced for a hearing will be held in abeyance pending the filing of Respondent'(s) answer and memorandum of law, and, if any, the Petitioner's reply.

  
SYLVIA H. RAMBO  
United States District Judge

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

June 8, 2001

Re: 1:00-cv-01831 Roth v. Commonwealth of PA

True and correct copies of the attached were mailed by the clerk  
to the following:

Calvin William Roth  
SCI-HOUTZDALE  
CY-1623  
P.O.Box 1000  
Houtzdale, PA 16698-1000

DA of York County  
Courthouse  
28 East Market Street  
York, PA 17401 Fax No.: 717-771-9738

cc:		
Judge	(X )	(X ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	( )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	( )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	(X )	with Petition attached & mailed certified mail to: US Atty Gen ( ) PA Atty Gen (X ) DA of York County (X )
Bankruptcy Court	( )	
Other _____	( )	

MARY E. D'ANDREA, Clerk

6/9/01

*Handwritten signature*

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*Mike Fisher*

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